

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>SANDRA L. FISCHER</b>	:	<b>CIVIL ACTION NO. 1:04-CV-2756</b>
<b>Plaintiff</b>	:	
	:	<b>(Judge Conner)</b>
<b>v.</b>	:	
	:	
<b>CYNTHIA TRANSUE, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 23rd day of April, 2007, upon consideration of plaintiff's praecipe to withdraw the complaint as to defendant Cynthia Transue ("Transue") (Doc. 69), and it appearing that Transue concurs with this request (see Doc. 46),<sup>1</sup> it is hereby ORDERED that:

1. Plaintiff's claims against defendant Cynthia Transue are DISMISSED. See FED. R. CIV. P. 41(a)(2).
2. The motion for summary judgment (Doc. 31), filed by defendant Cynthia Transue, is DENIED as moot.<sup>2</sup>

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S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge

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<sup>1</sup> Specifically, Transue stated the following:

Additionally, pending a final discussion with the plaintiff, the parties have reached an agreement that the plaintiff will voluntarily discontinue this action as to defendant Cynthia Transue.

(Doc. 46 ¶ 5).

<sup>2</sup> By order of court dated April 10, 2007 (Doc. 62), Transue was directed to file a brief in support of her motion for summary judgment (Doc. 31) on or before April 20, 2007, and was advised that failure to do so would result in her motion being deemed withdrawn. As of the date of this order, Transue has not filed a brief in support.